

DECISION  
For  
LOCATABLE MINERAL ENTRY WITHDRAWAL FOR AREAS OF CRITICAL  
ENVIRONMENTAL CONCERN (ACEC) WITHIN THE SOUTHERN NEVADA DISTRICT OFFICE  
NEPA NV-052-2008-438  
Case File NVN-83979

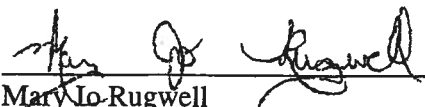
**Decision:** It is my decision to approve the recommendation on the proposed withdrawal of approximately 944,343 acres of public lands from settlement, sale, location, entry or patent under the United States mining laws, for a period of 20 years. I have considered the environmental consequences of this decision, as documented in the accompanying environmental assessment, and determined that the impacts are not expected to be significant and an Environmental Impact Statement is not required.

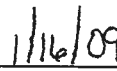
**Rationale for Decision:** The impacts to the withdrawn lands and resources, as analyzed and summarized in EA No. NV-052-2008-438 would not be significant. There have been no quantifiable objections to the proposed action and no indications that anticipated effects are likely to be controversial. Management directives as outlined in the RMP, for protection of significant resource values contained within the ACECs would be upheld as a result of implementation of the proposed action.

Withdrawal of the ACECs from locatable mineral entry under the mining law would prevent new prospecting, location, and development of those minerals. Any work proposals beyond casual use disturbance on existing mining claims or operations are subject to validity determinations and cost recovery for those determinations. The proposed withdrawal itself would result in no significant additional need beyond that which already exists to meet the goals mandated by the Endangered Species Act. Piute/Eldorado, Coyote Springs, Mormon Mesa, and Gold Butte Part A ACECs, all of which have been previously designated as critical habitat units for the Desert Tortoise by the USFWS, comprise over 70% of all ACECs proposed for withdrawal.

Implementation of the proposed action would have an overall beneficial effect to threatened and endangered species that inhabit the ACECs. Five of the ACECs (Piute/Eldorado, Coyote Springs, Mormon Mesa, Gold Butte Part A, Virgin River, and Ash Meadows) were established to safeguard critical habitat to aid in the recovery of the following federally listed threatened and endangered species: Desert Tortoise (*Gopherus agassizii*); Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Woundfin (*Plagopterus agentissimus*) and Virgin River Chub (*Gila seminude*); and numerous listed species that occur in Ash Meadows.

Additionally, surface disturbing activities associated with mining for locatable minerals would have the potential to adversely affect cultural sites by destroying artifacts, intermixing cultural deposits, contaminating materials that would be dateable through radiocarbon dating, and disturbing site integrity by disrupting traces of cultural activities, thereby rendering them impossible to reconstruct accurately, which would be in direct conflict with RMP management directives for the resource values contained within the ACECs.

  
Mary Jo Rugwell  
Southern Nevada District Manager

  
Date